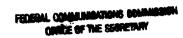
#### **ORIGINAL**

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#### SWIDLER BERLIN SHEREFF FRIEDMAN, LLP MAR 21 2001

3000 K STREET, NW, SUITE 300 WASHINGTON, DC 20007-5116 TELEPHONE (202)424-7500 FACSIMILE 0



NEW YORK OFFICE 405 LEXINGTON AVENUE NEW YORK, NY 10174

March 21, 2001

#### VIA HAND DELIVERY

Magalie Roman Salas Secretary Federal Communications Commission The Portals - TW-A325 445 Twelfth Street, S.W. Washington, DC 20554

Re: Ex Parte

CC Docket No. 98-147 CC Docket No. 98-141

Dear Ms. Salas:

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. Section 1.1206(b), this letter provides notice that on March 20, 2001 Peter Karoczkai, Vice President, InfoHighway Communications Corporation and the undersigned met with Carol Mattey, Michelle Carey, and Jane Jackson of the Common Carrier Bureau concerning issues in the above-captioned proceeding. We presented the views set forth in the attached document, which was provided at the meeting.

Four copies of this letter are attached.

Sincerely,

Patrick J. Donovan

cc:

Carol Mattey Michelle Carey Jane Jackson



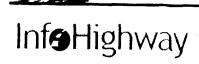
# InfoHighway

InfoHighway Communications Corporation
Overview

Tuesday, March 20, 2001

#### verview

- Leading data facilities-based Integrated Communications Provider serving the small- to medium-sized business market in NY, NJ, PA, MA, MD, DC and TX
- Combination of traditional CLEC and ISP offerings
- Marketing a fully bundled voice, data and Internet package
  - DSL Internet access with VPN support
  - Local and Long Distance telephone service
  - Voice Mail with Unified Messaging
  - Web Hosting, Domain and E-Mail services
- Single source of services for most customers



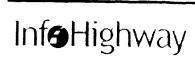
# ighlights

- Providing local service since 1994 in New York
  - 150 employees serving 11 markets
  - Over 18,000 lines in service
  - Deployed \$6M in capital equipment to date (SuperPOPs, POPs, collocation facilities, DSLAMs)
  - 85 commercial buildings and 10 collocation facilities connected to DSL/ATM network
  - Raised \$45 million of \$150 million commitment in September 2000 to build Company and deploy network



### ifferentiators

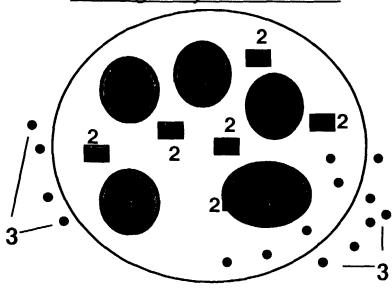
- State-of-the-art DSL service with VPN support
  - DSL access using both collocation and building-based deployment
  - Carrier-class ATM/IP data network
  - Single bill and support for all services
  - Simplified local service with Voice Mail and Unified Messaging
    - Customers can check their Voice Mail and faxes through the Internet
  - Bundled voice, data and Web solutions <u>targeted</u> to small business below the DS1 level



## at Strategy

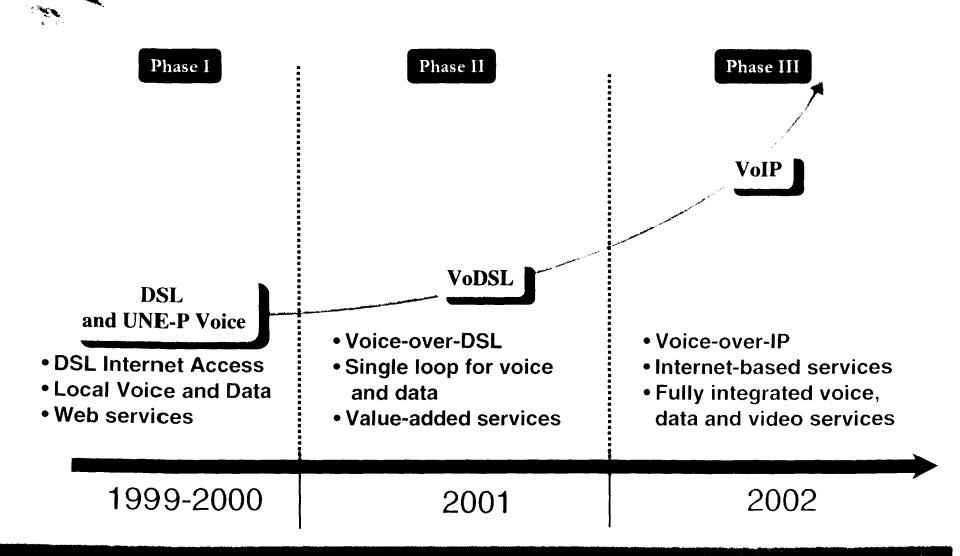
- Use collocation-based DSL deployment to serve dense business areas
  - Equip multi-tenant office buildings with DSL to extend reach
  - Utilize resold ILEC ADSL to serve telecommuters of businesses served in 1 and 2 above

#### InfoHighway Market Area



	<b>DSL Network</b>	ISP Services
1 - Collocation-based	InfoHighway	InfoHighway
2 - Building-based	InfoHighway	InfoHighway
3 - ADSL-Resale	Verizon	InfoHighway

#### rm Plan





#### ing/Merger Order

- InfoHighway connected at DS3 level to Verizon ATM cloud
- Accessed ADSL loop qualification, ordering information through wholesale interfaces
- Was able to order ADSL service in connection with its resold lines
- Began rolling out ADSL service commercially in New York

#### After transition to VADI on July 1, 2000:

- Verizon stopped provisioning ADSL with InfoHighway's resold lines
- Only permitted ordering ADSL with Verizon retail lines
- Stopped utilizing wholesale OSS interfaces



- Issue an Order in light of ASCENT v. FCC determining that any ILEC advanced services separate affiliate:
  - Is subject to Section 251 (c) and tariffing requirements as an ILEC;
  - Must make available to CLECs the same preordering, ordering, provisioning, maintenance and billing OSS interfaces as the parent; and
  - Is subject to the interconnection agreements of the parent ILEC.
- Encourage informally or require, ILECs to permit resale of voice and DSL on the same line